

Congress of the United States

Washington, D.C.

November 5, 2021

The Honorable Alejandro Mayorkas
Secretary
U.S. Department of Homeland Security
2707 Martin Luther King Jr. Ave. SE
Washington, D.C. 20528

The Honorable Xavier Becerra
Secretary
U.S. Department of Health and Human
Services
200 Independence Ave. SW
Washington, D.C. 20201

Dear Secretaries Mayorkas and Becerra:

We are writing today to express our deep concern over the recent report that an illegal immigrant was charged with murder in Jacksonville, Florida, after posing as an unaccompanied minor to enter the United States.

On October 7, 2021, Yery Noel Medina Ulloa, a 24-year-old Honduran, was charged with the murder of Francisco Javier Cuellar, a 46-year-old father of four. Reports indicate that Mr. Ulloa entered the country illegally in Texas and convinced authorities he was a minor. It remains unclear how Mr. Ulloa arrived in Florida after his release. However, Mr. Cuellar's family has expressed their belief he was transported via a U.S. Government-chartered flight resettling unaccompanied minors.

As you are aware, unaccompanied children who are apprehended by Department of Homeland Security (DHS) officials after illegally crossing the United States border are detained and then transferred to the custody of the Office of Refugee Resettlement (ORR) within the Department of Health and Human Services (HHS). These minors are then released to a legal guardian or sponsor willing to care for them.

The fact that a 24-year-old man could deceive both DHS and HHS officials into believing he was a minor and be detained with underage children is unconscionable. This is an obvious consequence of border security and immigration enforcement officials being overworked, understaffed, and under-supplied, and puts the safety of American citizens and unaccompanied migrant children in jeopardy.

To further understand how Mr. Ulloa was permitted into the country and transported to Florida, we ask that you respond to the following questions:

1. What are current DHS screening procedures to appropriately determine if a migrant is, in fact, an unaccompanied child prior to transfer to HHS?
2. What are current HHS screening procedures to appropriately determine minor status prior to an individual's release?

3. Does DHS or ORR have any record of placing Mr. Ulloa on a flight or otherwise facilitating his travel from Texas to Florida or any other location in the United States?
4. How was Jacksonville Sheriff's Office able to correctly identify Mr. Ulloa through ICE when DHS and HHS could previously not?
5. What steps are DHS and HHS taking to identify additional adults who may have fraudulently posed as unaccompanied children?
6. What policy changes, if any, are DHS and HHS making to ensure other adult migrants do not fraudulently pose as minors and get released into the United States?
7. How many instances in the last three calendar years have DHS and HHS learned that an individual already released into the interior of the United States as an unaccompanied minor has turned out to be an adult?
 - Do either DHS or HHS track instances in which migrant adults posing as undocumented children commit acts of violence or other crimes? If so, please provide information relevant to such instances.
8. How many total cases have DHS and HHS encountered in the last three calendar years of a migrant adult posing as an unaccompanied minor, including cases in which the adult was detected during the course of being processed at the border?

In the past year alone, U.S. Border Patrol has recorded nearly 1.7 million migrant apprehensions at the southern border, which is the highest number of illegal crossings in history. Unaccompanied minors accounted for over 144,000. The Administration's failure to appropriately respond to this crisis is only making matters worse. Thousands of migrants, some in organized caravans, continue to travel through Mexico toward the U.S. border.

The Biden Administration must take immediate action to secure the border and enforce our immigration laws correctly. The safety of our American citizens depends on your actions. Thank you for your prompt attention to this matter, and we look forward to your response.

Sincerely,



Elise M. Stefanik
Member of Congress



John Rutherford
Member of Congress



John Katko
Member of Congress